

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

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)	
RAMOT HILLS LLC)	Civil Action No.: 1:20-cv-03154
)	
Plaintiff,)	Judge: Rebecca R. Pallmeyer
)	Magistrate Judge: Beth W. Jantz
v.)	
)	
HOMY CASA LIMITED,)	
)	
)	
Defendant.)	

JOINT STATUS REPORT

I. The Parties and Claims

Plaintiff, Ramot Hills, LLC is US company sells a variety of different products online. One series of products is foldable desks.

Defendant, Homy Casa Limited is a Chinese company that manufactures various products and sells them online. Homy Casa is also the listed Assignee of US Design Patent D845,679. Homy Casa filed a complaint with Amazon based on its assertion of the '679 patent against Ramot.

Ramot then brought declaratory judgement claims of non-infringement, invalidity, and unenforceability with respect to the '679 patent. It also brought state law claims for unfair competition, tortious interference with contracts, and tortious interference with prospective economic advantage.

Homy Casa answered the complaint filed by Ramot and asserted a number of affirmative defenses and counterclaims for infringement of the '679 patent and false advertising under 15 U.S.C. § 1125 (a)(1)(B).

II. Status of the Pleadings

Plaintiff has served its complaint and Defendant has answered the complaint and filed counterclaims.

Plaintiff has answered the counterclaims and asserted a number of affirmative defenses.

Plaintiff has also filed a motion to strike some of Defendant's affirmative defense pursuant to Rule 12(b)(6). The parties have discussed the matter. Defendant has tentatively agreed to supplement affirmative defenses 1-3 and delete affirmative defense number 4 in view of Plaintiff's confirmation that it is not seeking any remedy--monetary, equitable, or otherwise--from Amazon nor is Plaintiff client seeking compel Amazon to take any action through this suit.

III. Status of Discovery

The Parties have conducted their Rule 26(f) conference. The report was filed on August 24, 2020.

The Parties have also exchanged Rule 26(a) disclosures.

The Parties have not engaged in any formal discovery at the present.

IV. Status of Settlement

The Parties have conducted some initial discussions regarding potential settlement of this matter.

The last settlement discussion took place by email on September 29, 2020. Defendant provided a response and counteroffer to Plaintiff's settlement proposal of September 23, 2020. No further discussions have taken place.

V. Additional Issues That May Have A Significant Impact on the Posture of the Case

Plaintiff had raised the issue of invalidity in conjunction with a motion for a temporary injunction. The briefing and argument on the motion highlighted a dispute among the parties as to whether certain documents do or do not constitute prior art at least because the exception to §102(a) under 35 U.S.C. §102(b)(1)(B) applies.

The Parties believe that an early resolution over the issue of whether certain documents constitute prior art may focus the remaining issues in the case and could assist in an early resolution of this matter.

Respectfully submitted,

RAMOT HILLS LLC

/s/ Matthew De Preter

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HOMY CASA LIMITED

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on November 16, 2020 a true and correct copy of the foregoing was filed electronically with the Clerk of the Court through the Court's CM/ECF System, which will transmit copies to all attorneys of record.

/s/ Matthew De Preter
One of the Attorneys for Ramot Hills LLC